

EXHIBIT A

Name of Defendant(s) to be Served:

BJ'S WHOLESALE CLUB, INC.

Address of Defendant(s) to be Served:

BJ'S WHOLESALE CLUB, INC. - 180 Passaic Avenue, Kearny, NJ 07032

LAW OFFICES OF ANDREW PARK, P.C.

Andrew Park, Esq.

ID#: 008691997

450 Seventh Avenue, Suite 1805

New York, NY 10123

Tel: (212) 239-3680 Fax: (212) 239-3683

ATTORNEYS FOR PLAINTIFF, VICTORIA PEREZ RUIZ

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VICTORIA PEREZ RUIZ,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: ESSEX COUNTY
Plaintiff(s),	:	
	:	DOCKET NO.:
v.	:	
	:	COMPLAINT WITH DEMAND FOR
BJ'S WHOLESALE CLUB, INC.,	:	TRIAL BY JURY
	:	
Defendant(s).	:	
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Plaintiff, VICTORIA PEREZ RUIZ, by way of Complaint, states:

COUNT ONE

1. Plaintiff VICTORIA PEREZ RUIZ is an adult individual residing at 42 Sumo Village Ct, Newark, NJ 07114.

2. Defendant BJ'S WHOLESALE CLUB, INC. is a business entity with a location at 180 Passaic Avenue, Kearny, NJ 07032.

3. On or about March 4, 2022, Plaintiff VICTORIA PEREZ RUIZ was lawfully in the premise located at 180 Passaic Avenue, Kearny, NJ 07032, which was owned and managed by Defendant BJ'S WHOLESALE CLUB, INC..

4. On or about March 4, 2022, Plaintiff VICTORIA PEREZ RUIZ was lawfully at the aforementioned premise, and she was caused to sustain serious permanent injuries to her body.

5. The above mentioned occurrence, and the results thereof, were caused by the joint, several and concurrent negligence of the Defendant and/ or said Defendant's agents, servants, employees and/or licenses in the ownership, operation, management, supervision, maintenance, and control of the aforesaid premise without any warning to persons using said premise.

6. The Plaintiff's serious and permanent personal injuries, extreme pain and suffering and the necessity of spending large sums of money for medical aid and attention result from the negligence, carelessness, and recklessness of Defendant BJ'S WHOLESALE CLUB, INC. in the operation and maintenance of the aforesaid premise.

7. The said accident and resulting injuries were caused wholly and solely by the negligence of Defendant BJ'S WHOLESALE CLUB, INC..

8. As a direct and proximate result of the occurrence and negligence of Defendant as foresaid, Plaintiff VICTORIA PEREZ RUIZ was caused to sustain severe and serious personal injuries, which resulted in her obtaining medical treatment, sustaining lost wages and which caused her great pain and suffering.

WHEREFORE, Plaintiff VICTORIA PEREZ RUIZ demands judgment against Defendant BJ'S WHOLESALE CLUB, INC. for damages, together with interest, cost of suit and attorneys' fees.




Andrew Park, Esq.
Attorney for Plaintiff

Dated: May 12, 2022

CERTIFICATION

I hereby certify that, pursuant to R.4:5-1, the matter in controversy is not the subject to any other action pending in any Court or of any arbitration proceeding and no such action or proceeding is contemplated. I know of no other party who should be joined in this action.



Andrew Park, Esq.
Attorney for Plaintiff

Dated: May 12, 2022

DESIGNATION OF TRIAL COUNSEL

PLEASE TAKE NOTICE that pursuant to R.4:25.4, Andrew Park, Esquire is hereby designated trial counsel in this matter.




Andrew Park, Esq.
Attorney for Plaintiff

Dated: May 12, 2022

JURY DEMAND

Plaintiff VICTORIA PEREZ RUIZ demands a trial by jury on all issues.



Andrew Park, Esq.
Attorney for Plaintiff

Dated: May 12, 2022

Civil Case Information Statement

Case Details: ESSEX | Civil Part Docket# L-002817-22

Case Caption: PEREZ RUIZ VICTORIA VS BJS
WHOLESALE CLUB I NC

Case Initiation Date: 05/13/2022

Attorney Name: INHO ANDREW PARK

Firm Name: ANDREW PARK PC

Address: 450 SEVENTH AVE SUITE 1805

NEW YORK NY 10123

Phone: 2122393680

Name of Party: PLAINTIFF : PEREZ RUIZ, VICTORIA

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: PERSONAL INJURY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Does this case involve claims related to COVID-19? NO

Are sexual abuse claims alleged by: VICTORIA PEREZ RUIZ? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

05/13/2022

Dated

/s/ INHO ANDREW PARK

Signed

EXHIBIT B



John M. McConnell | Partner
Direct 609.986.1326 | jmccconnell@goldbergsegalla.com

May 20, 2022

Andrew Park, Esq.
450 Seventh Avenue, Suite 1805
New York, NY 10123

Re: Perez Ruiz v. BJ's Wholesale Club, Inc.
Docket No.: ESX-L-002817
GS File No.: 1342.

Dear Mr. Park,

Please be advised that we represent Defendant named as BJ's Wholesale Club, Inc. in this case. Enclosed please find a Stipulation to Limit Damages. If your client does not sign and return this to me immediately, we will take steps to remove this matter to the Federal Court. Thank you very much.

Sincerely,

s/ John M. McConnell
John M. McConnell

JMM:ks
Enclosure

Please send mail to our scanning center at: PO Box 580, Buffalo NY 14201

John M. McConnell, Esq. [#028152006]
Goldberg Segalla LLP
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301 Carnegie Center, Suite 200
Princeton, NJ 08540
609.986.1300
609.986.1301 (fax)
Attorneys for BJ's Wholesale Club, Inc.

VICTORIA PEREZ RUIZ,

Plaintiff(s),

v.

BJ'S WHOLESALE CLUB, INC.,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
ESSEX COUNTY

DOCKET NO.: ESX-L-2917-22

STIPULATION TO LIMIT DAMAGES

Plaintiff Victoria Perez Ruiz (hereinafter referred to as "Plaintiff") and Defendant BJ's Wholesale Club, Inc. hereby understand and agree to the following:

1. Defendant BJ's Wholesale Club, Inc. has the right, pursuant to 28 U.S.C. § 1441 to remove the above captioned matter to Federal Court;
2. Defendant BJ's Wholesale Club, Inc. is willing to forego this right in exchange for the agreement of Plaintiff to limit the damages which Plaintiff is entitled to recover in the above captioned matter, if any; and
3. In reliance upon the express agreement of Plaintiff and Defendant BJ's Wholesale Club, Inc. to the limitation of damages set forth herein, Defendant BJ's Wholesale Club, Inc. will agree not to exercise its right to remove the above captioned matter to the Federal Court.

Therefore, on this _____ day of _____ 2022, Plaintiff and Defendant BJ's Wholesale Club, Inc. hereby stipulate and agree that the full amount and/or value of any and all

damages (including interest, fees and costs) to which Plaintiff may be entitled in the above captioned matter shall not exceed seventy-five thousand dollars and zero cents (\$75,000.00).

LAW OFFICES OF ANDREW PARK, P.C.

GOLDBERG SEGALLA, LLP

ANDREW PARK, ESQ.

Attorneys for Plaintiff Victoria Perez Ruiz

JOHN M. MCCONNELL, ESQ.

Attorneys for Defendant BJ's Wholesale Club, Inc.

Date: May __, 2022

Date: May __, 2022